

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BLACK LIVES MATTER SEATTLE-
KING COUNTY, ABIE EKENEZAR,
SHARON SAKAMOTO, MURACO
KYASHNA-TOCHA, ALEXANDER
WOLDEAB, NATHALIE GRAHAM,
AND ALEXANDRA CHEN,

Plaintiffs,

v.

CITY OF SEATTLE,

Defendant.

No. 2:20-cv-00887-RAJ

DECLARATION OF KATHRYN TEWSON
IN SUPPORT OF PLAINTIFFS' MOTION
FOR CONTEMPT

I, Kathryn Tewson, declare and state as follows:

1. The information contained in this declaration is true and correct to the best of my knowledge, and I am of majority age and competent to testify about the matters set forth herein.

2. I have been a resident of Bothell, Washington for more than 20 years. I have been politically active my whole life and have attended many peaceful protests in the Seattle area during the time I have lived here. I have followed the protests in Seattle since the death of George Floyd with interest and empathy, but this was the first protest since Floyd's death that I personally attended.

1 3. I decided to attend the protest on July 25 after seeing the example set by the Wall
2 of Moms in Portland, OR. I wanted to lift my voice in solidarity with Portland and to do anything
3 I could to protect the people protesting in Seattle. I was aware that previous protests had
4 experienced a lot of police violence and I was prepared for that eventuality, although I have
5 never attended a protest where the police had been violent before. I brought a bicycle helmet and
6 a pair of ski goggles in preparation, although I kept them in my backpack because I did not
7 anticipate needing them for several hours, if at all. **If there was going to be violence, I expected**
8 **that it would take place after dark. I didn't expect that the police would attack, repeatedly,**
9 **with no warning and in broad daylight, a group of moms.**

10 4. I arrived at the protest at Cal Anderson Park at approximately 4:30 PM. Almost
11 immediately after I arrived, a metal gas canister flew past my unprotected head and into Cal
12 Anderson Park. It struck the ground and immediately began to emit a whitish gas. I ran to avoid
13 the gas but caught the edge of the cloud. Immediately my eyes began to water profusely, and I
14 began to feel like I was choking. My skin did not burn. I frantically got my helmet and goggles
15 on – I was so scared and so disoriented that I initially put the helmet on backwards. I was
16 shocked that the police were gassing people in broad daylight.

17 5. I soon met up with the other Moms on the south lawn of the Seattle Central
18 College campus. They were attending to a woman in a yellow shirt who was being treated for
19 exposure to the gas. Her eyes were almost swollen shut. I introduced myself to the other Moms,
20 and we identified a plan to put ourselves at the front of the protesting crowd on Pine Street
21 between Harvard and Broadway. We had barely established this plan before we heard more
22 bangs and the crowd began to run. Before I knew it, I was running along with them, away from
23 the explosions and flying gas canisters.

24 6. We caught our breath a little ways up Harvard Ave, and then moved back forward
25 to take the space in the Pine Street that we had just vacated. Over the next hour and a quarter, we
26 would repeat this back-and-forth several times. The crowd would take the street and face the

1 police who were lined up in the street facing us. Then, without warning, the police would fire
2 more gas canisters indiscriminately into the crowd, and we would scatter under the threat and
3 regroup around the corner until we moved back into the space. I was frequently separated from
4 the other Moms during this process.

5 7. I have no prior experience with any kind of chemical crowd control agents. I
6 experienced two very different kinds of gas attacks at this protest. One was the whitish gas
7 which made me choke and made my eyes water and nose run uncontrollably, but which did not
8 burn my skin; the other was a gas with a reddish-pinkish cast that stung my mouth and throat and
9 made my skin feel like it was on fire. Within half an hour of being at this protest, I could identify
10 the two different types of gas. I believe that the second type was pepper gas or OC. I do not
11 know what the first gas was.

12 **8. This experience was the most frightening two hours I have ever experienced**
13 **in the more than twenty years I have lived in Seattle. Nothing else comes close.**

14 9. After the fourth time we had been driven back and then moving forward, I was on
15 the verge of panic from the constant barrage of gas canisters being shot into the crowd. I stepped
16 around the opposite corner on Harvard, just south of Pine Street, to take a breather and collect
17 myself. Another protester noticed my emotional state and told me, “You are scared because they
18 are scaring you. This is not something that is coming from within you. This is something that is
19 being done to you on purpose to harm you.” These words clarified my focus and sharpened my
20 resolve, and I returned to the protest.

21 10. At shortly before 6:00 PM, I re-joined the other Moms. We heard the call of
22 “Moms, get to the front!” and quickly made a plan to link arms as we pushed through the crowd
23 in order to stay together. Our efforts were more effective this time, and we did not become
24 separated. We could soon see the umbrella wall, and the line of police officers beyond it.

25 11. As we redoubled our efforts to push through to the front, a Seattle police officer
26 stepped forward and pepper-sprayed the whole linked line of Moms across our faces. The pain

1 was immediate and indescribable. Within seconds after they pepper sprayed us, the police fired
2 gas canisters or flash-bangs at the front of the crowd in front of us, causing them to surge
3 backwards into us. I was coughing so hard I could barely stand and my eyes were watering so
4 badly that I could barely see, trying to back up as quickly as I could to avoid being trampled by
5 the people in front of me who were trying to escape the explosive projectiles the police had shot
6 at their feet.


7 12. In that moment, I was terrified. I was certain that I was going to fall down and be
8 trampled. I have seen videos of what the Seattle Police do to people who fall down while
9 retreating, and as I struggled to breathe and see and escape, the images of people being beaten
10 with batons and pepper-sprayed after they had stumbled were very present in my mind.

11 13. I managed to separate myself from the other Moms and run to the edge of the
12 crowd. I quickly sent a tweet describing what had happened, but I did not have time to follow up
13 because the police were on our heels deploying more gas and more flashbangs. I ran north on
14 Harvard Avenue with the police in pursuit behind us. My eyes were clearing, but my mouth and
15 throat and lungs were burning, and all my exposed skin was in searing pain.

16 14. Although I wanted to remain with the protest, I knew I had hit my limit. I made
17 the difficult decision to leave and return home. When I got home, my hair was sticky with pepper
18 spray, and my husband was coughing and choking from it while I was stripping off my clothes
19 and my gear. I washed my hair twice and took a bath to try and get the pepper spray off my skin;
20 I could see the oily residue floating on the surface of the bath. I continued to feel the effects of
21 both the spray and the terror of being attacked for several days.

22 15. **All I did was wear a yellow shirt and yell. I was not violent. I was not a**
23 **threat. I was there as a mother and a citizen to voice my criticism of my government and**
24 **my solidarity with the people of Portland. I felt as though the police were targeting me and**
25 **the other Moms, deliberately trying to prevent us from gaining a place at the front of the**
26 **crowd.**

Executed this 30th day of July, 2020 at Bothell, WA.

By: 
Kathryn Tewson